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BY _____

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Attorneys for Defendants
UNITED PARCEL SERVICE, INC., UPS GROUND
FREIGHT, INC., and OVERNITE CORPORATION

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

JAIME CASTRO and REYES
ALVAREZ as individuals and on
behalf of all other similarly situated,

Plaintiffs,

vs.

UPS GROUND FREIGHT, INC., a
corporation; UNITED PARCEL
SERVICE, INC., a corporation;
OVERNITE CORP., a corporation;
and DOES 1 through 20, inclusive,

Defendants.

Case No. **CV08-04898** (CWx)

**DECLARATION OF JOHN
HAMPTON IN SUPPORT OF
DEFENDANTS' NOTICE OF
REMOVAL**

DECLARATION OF JOHN HAMPTON

I, John Hampton, declare and state as follows:

1. I am employed as the Director of Workforce Planning for UPS Ground Freight, Inc. ("UPS Freight"). Except as otherwise indicated, I have personal knowledge of the facts set forth in this Declaration or know of them by my review of business records maintained by UPS Freight, and, if called upon to do so, could and would testify competently thereto.

2. I have reviewed the complaint filed by the Plaintiffs in this action, Jaime Castro and Reyes Alvarez, and it is my understanding that they are seeking to represent a class of all "less-than-truckload" drivers allegedly employed by UPS Freight, and who have been employed in the State of California since June 23, 2004, but who were not "linehaul" drivers, nor union members. UPS Freight refers to non-linehaul "less-than-truckload" drivers as "local" drivers (or "city drivers").

3. By virtue of my position with UPS Freight, I am knowledgeable about UPS Freight's human resources databases, including a database called the Global Employment Management System (referred to by the acronym "GEMS"), which contains data showing, *inter alia*, the job positions assigned to UPS Freight employees, their work locations, and their dates of employment. These data are entered into and maintained in GEMS in the ordinary course of business and are relied upon by UPS Freight in performing a variety of human resource and payroll functions.

4. In connection with making this declaration, on July 22, 2008, I relied on the GEMS database to determine the number of non-union persons to whom a local driver job code was assigned and who were employed by UPS Freight in the State of California as of April 6, 2008. I determined that, as of April 6, 2008, more than 500 such drivers were employed by UPS Freight in the State of California.

5. In connection with my role as Workforce Planning Director for UPS Freight, I also have access to wage rate information for local drivers. As of April 6, 2008, the starting wage for full-time local drivers in California was \$18.27 per hour. The highest wage for full-time local drivers in California was \$21.80 per hour. The midpoint of these two hourly wage figures is \$20.03 ($(\$18.27 + \$21.80) \div 2 = \20.03).

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct, executed this 24 day of July, 2008 in Chicago, Illinois.


John Hampton

PROOF OF SERVICE BY PERSONAL DELIVERY

I am a citizen of the United States and employed in Los Angeles County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is Nationwide Legal, Inc. 316 West 2nd Street, Suite 705, Los Angeles, CA 90012. On July 25, 2008, I personally served:

**DECLARATION OF JOHN HAMPTON IN SUPPORT OF
DEFENDANTS' NOTICE OF REMOVAL**

by delivering copies thereof to:

Kenneth H. Yoon, Esq.
Law Offices of Kenneth H. Yoon
One Wilshire Blvd., Suite 2200
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Executed on July 25, 2008, at Los Angeles, California.


PRINTED NAME: William L. Conner